

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ARTHUR M. HAWKINS,)	
)	
Petitioner-Defendant,)	
)	
vs.)	No. 04-cv-782-DRH
)	
UNITED STATES OF AMERICA,)	
)	
Respondent-Plaintiff.)	

JOINT STATUS REPORT

Petitioner-Defendant Arthur M. Hawkins, by and through his attorney Susan G. James, and Respondent-Plaintiff United States of America, by and through it attorneys, A. Courtney Cox, United States Attorney for the Southern District of Illinois, and William E. Coonan, Assistant United States Attorney, respectfully file their joint status report in accordance with this Court's Order of May 11, 2009.

1. In the Court's Order of May 11, 2009, the Court stated that on or before November 13, 2009, one of the following must occur:

- a. the parties file a new status report;
- b. the Government file a Rule 35 Motion; or
- c. a dismissal of this case [shall occur].

2. The parties are in contact with each other and have been discussing the status of the case as well as the possibility of the filing of a substantial assistance motion pursuant to Rule 35 of the Federal Rules of Criminal Procedure at the end of the trial in the Northern District of Oklahoma.

3. A jury was selected in the trial of *United States v. Springer, et al.*, No. 4:09-00043-SPF, in the Northern District of Oklahoma in Tulsa, Oklahoma. Discussions with Kenneth Snoke, Assistant United States Attorney and lead attorney for the Government, and Hawkins' counsel, indicate that the trial will last several weeks and that over 60 witnesses have been subpoenaed to testify, including Art Hawkins and his wife, Cindy Hawkins. It is anticipated that the trial will extend well past the date of November 13, 2009, set out in this Court's order of May 11, 2009.

4. The parties request an extension of time to not later than December 15, 2009, in which to resolve the Rule 35 issue, giving the prosecutors in Tulsa an appropriate amount of time to evaluate the testimony of Art Hawkins and to provide a letter pursuant to Rule 35 to the Assistant United States Attorney's office in the Southern District of Illinois, at the end of the trial in the Northern District of Oklahoma.

Wherefore, the parties respectfully file their status report.

Respectfully submitted,

ARTHUR M. HAWKINS
Petitioner-Defendant

A. COURTNEY COX
United States Attorney
Southern District of Illinois

/s/ Susan G. James¹
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¹ On November 12, 2009, 4:37 p.m., Attorney Susan G. James gave her consent for AUSA Coonan to sign on her behalf.

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CERTIFICATE OF SERVICE

Pursuant to SDIL-LR 7.1(b) and E-Filing Rule 8, I hereby certify that on November 13, 2009, I electronically filed the foregoing **JOINT STATUS REPORT** with the Clerk of Court using the CM/ECF system which will send notification of such filings to the following individual:

Susan G. James, Esq., Attorney for Petitioner: sgjamesandassoc@aol.com

Respectfully submitted,

A. COURTNEY COX
United States Attorney
Southern District of Illinois

/s/ William E. Coonan
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